

Electronically Filed on July 26, 2007

George F. Ogilvie III, Esq. (#3552)
Ryan J. Works, Esq. (#9224)
McDONALD CARANO WILSON, LLP
2300 West Sahara Avenue
No. 10, Suite 1000
La Vegas, Nevada 89102
Tel. No.: 702.873.4100
Fax No.: 702.873.9966
rworks@mcdonaldcarano.com

Attorneys for Eugene Buckley

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY
ADVISORS, LLC,

USA CAPITAL DIVERSIFIED
TRUST DEED FUND LLC,

USA CAPITAL FIRST TRUST
DEED FUND LLC,

USA SECURITIES, LLC,

Debtors.

Affects:

- ☒ All Debtors
- : USA Commercial Mortgage Company
- : USA Capital Realty Advisors, LLC
- : USA Capital Diversified Trust Deed Fund, LLC
- : USA Capital First Trust Deed Fund, LLC
- : USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under
Case No.: BK-S-06-10725-LBR

**NOTICE OF ENTRY OF ORDER
APPROVING STIPULATION RESOLVING
DISCOVERY DISPUTES BETWEEN
LIQUIDATING TRUST AND EUGENE
BUCKLEY**

 **McDONALD-CARANO-WILSON**
2300 WEST SAHARA AVENUE • SUITE 1000 • LAS VEGAS, NEVADA 89102-4354
PHONE (702) 873-4100 • (702) 873-9966

PLEASE TAKE NOTICE that an Order Approving Stipulation between Liquidating Trust and Eugene Buckley [DE 4225] was entered on the 26th day of July, 2007, a true and correct copy of which is attached hereto as Exhibit A.

Dated this 26th day of July, 2007.

MCDONALD CARANO WILSON, LLP

By /s/ Ryan J. Works

George F. Ogilvie III, Esq. (#3552)

Ryan J. Works, Esq. (#9224)

2300 West Sahara Avenue, Suite 1000

Las Vegas, Nevada 89102

Attorneys for Eugene Buckley

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of McDONALD CARANO WILSON LLP. That I am, and was when the herein described service took place, a citizen of the United States, over 21 years of age, and not a party to, nor interested in, the within action.

On July 26, 2007, the Notice Of Entry Of Order Approving Stipulation Resolving Discovery Disputes Between Liquidating Trust And Eugene Buckley was served through the U.S. Bankruptcy Court.

On July 26, 2007, a copy of the foregoing was sent first class mail, postage prepaid to the following:

Eric D. Madden
Diamond McCarthy LLP
1201 Elm Street, 34th Floor
Dallas, Texas 75270
Facsimile: (713) 333-5199
*Special Litigation Counsel for USACM
Liquidating Trust*

Susan M. Freeman, Esq.
Rob Charles, Esq.
Lewis and Roca, LLP
3993 Howard Hughes Pkwy., Suite 600
Las Vegas, Nevada 89169
Facsimile: (702) 949-8321
Counsel for USACM Liquidating Trust

I hereby certify the assertions of this certificate are true, except as to those matters stated upon information and belief, and as to those matters, I believe

1 them to be true.

2 Executed this 26th day of July, 2007.

3
4 By /s/ Kathy Barrett
An Employee of McDonald Carano Wilson LLP

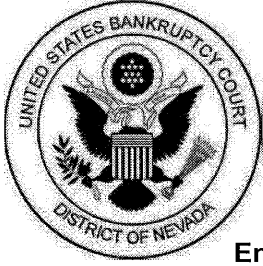
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

 MCDONALD • CARANO • WILSON^{LLP}
2300 WEST SAHARA AVENUE • SUITE 1000 • LAS VEGAS, NEVADA 89102-4354
PHONE (702) 873-4100 • (702) 873-9966

EXHIBIT “A”

EXHIBIT “A”

Case: 06-10725-lbr Doc #: 4225 Filed: 07/26/2007 Page: 1 of 3



Entered on Docket
July 26, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler
United States Bankruptcy Judge

Electronically Filed on July 26, 2007

George F. Ogilvie III, Esq. (#3552)
Ryan J. Works, Esq. (#9224)
McDONALD CARANO WILSON, LLP
2300 West Sahara Avenue
No. 10, Suite 1000
La Vegas, Nevada 89102
Tel. No.: 702.873.4100
Fax No.: 702.873.9966
rworks@mcdonaldcarano.com

Attorneys for Eugene Buckley

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND LLC,

USA CAPITAL FIRST TRUST DEED
FUND LLC,

USA SECURITIES, LLC,

Debtors.

Affects:

☒ All Debtors

: USA Commercial Mortgage Company

: USA Capital Realty Advisors, LLC

: USA Capital Diversified Trust Deed Fund, LLC

: USA Capital First Trust Deed Fund, LLC

: USA Securities, LLC

Case No. BK-S-06-10725-LBR

Case No. BK-S-06-10726-LBR

Case No. BK-S-06-10727-LBR

Case No. BK-S-06-10728-LBR

Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under

Case No.: BK-S-06-10725-LBR

**STIPULATION AND ORDER RESOLVING
DISCOVERY DISPUTES BETWEEN
LIQUIDATING TRUST AND EUGENE
BUCKLEY**

A logo consisting of a stylized 'M' and 'W' intertwined.
McDONALD-CARANO-WILSON
2300 WEST SAHARA AVENUE • SUITE 1000 • LAS VEGAS, NEVADA 89102-4354
PHONE (702) 873-4100 • (702) 873-9966

1 The USACM Liquidating Trust (the "Trust") and Eugene Buckley ("Buckley") hereby file
2 this Stipulation and Order resolving all discovery disputes between them including disputes
3 regarding: (1) Buckley's Motion to Quash; (2) disputes regarding the Trust's subpoena served (the
4 "Trust's Subpoena"); and (3) the number of times Buckley will be examined pursuant to Rule
5 2004.

6 1. In order to assist Buckley in determining what to focus on within the subpoena, and
7 without limiting the scope of the Trust's Subpoena, the Trust has identified certain entities,
8 individuals and events upon which the Trust seeks information from Buckley pursuant to the
9 Trust's Subpoena.

10 2. In responding to the Trust's Subpoena, Buckley agrees to provide information and
11 copies of documents (to the extent the documents are within his custody and control) on or before
12 August 8, 2007.

13 3. The Trust agrees to coordinate the examination of Buckley as part of any
14 examination planned by the Chapter 11 Trustee of USA Investment Partners, LLC ("USAIP"). As
15 a result, there will be only one Rule 2004 examination of Buckley for purposes of the above-
16 captioned matter and *In re USA Investment Partners, LLC*, Case No. BK-S-07-11821-LBR, in the
17 United States Bankruptcy Court for the District of Nevada.

18 4. Buckley will appear for one Rule 2004 examination upon reasonable notice (which
19 shall be not less than ten days), at the offices of McDonald Carano Wilson LLP, 2300 West Sahara
20 Avenue, Suite 1000, Las Vegas, Nevada 89102.

21 5. The Trust agrees that Buckley's compliance with this stipulation shall fully satisfy
22 any Rule 2004 request for information from Buckley.

23 6. Buckley's Motion to Quash is hereby WITHDRAWN, without prejudice.
24
25
26
27
28

 McDONALD-CARANO-WILSON^{LLP}
2300 WEST SAHARA AVENUE • SUITE 1000 • LAS VEGAS, NEVADA 89102-4354
PHONE (702) 873-4100 • (702) 873-5966

7. Accordingly, the July 27, 2007 hearing of this matter is VACATED.

Dated this 26th day of July, 2007.

MCDONALD CARANO WILSON, LLP

DIAMOND MCGARTHY LLP

George F. Ogilvie III, Esq. (#3552)
Ryan J. Works, Esq. (#9224)
2300 West Sahara Avenue, Suite 1000
Las Vegas, Nevada 89102
Attorneys for Eugene Buckley

Eric D. Madden, Esq.
(TX Bar #24013079)
1204 Elm Street, 34th Floor
Dallas, Texas 75270
Attorneys for USACM Liquidating Trust

###

MCDONALD CARANO WILSON
2300 WEST SAHARA AVENUE, SUITE 1000 • LAS VEGAS, NEVADA 89102-4354
PHONE (702) 872-1100 • FAX (702) 872-9966